

REMARKS/ARGUMENTS

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance. The present amendment is being made to facilitate prosecution of the application.

I. STATUS OF THE CLAIMS AND FORMAL MATTERS

Claims 1-4, 6 and 9-14 are pending. Claims 1, 4, 12 and 13, which are independent, are hereby amended. No new matter is added by these amendments. Support for the amended recitations in the claims is found throughout the specification. Claims 5, 7, 8, 15 and 16 have been canceled without prejudice or disclaimer of any subject matter. Changes to claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicants are entitled.

II. REJECTION UNDER 35 U.S.C. § 112

Claims 1-4, 6 and 9-14 were rejected under 35 U.S.C. § 112, first paragraph, as allegedly failing to comply with the written description requirement. .

Claims 1-4, 6 and 9-14 were rejected under 35 U.S.C. § 112, second paragraph, as allegedly indefinite.

Applicants have amended claims 1, 4, 12 and 13 (claims 2, 3, 6, 9-11 and 14 depend from one of claims 1, 4, 12 and 13), thereby obviating the rejection. Applicants

respectfully request the rejection under 35 U.S.C. § 112, first and second paragraphs be withdrawn.

III. REJECTIONS UNDER 35 U.S.C. §103

Claims 1-4, 6 and 11-14 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Applicants Admitted Prior Art (APA) in view of U.S. Patent No. 4,142,066 to Ahamed and further in view of U.S. Patent No. 5,719,574 to Nishio et al.

Claims 9 and 10 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over APA in view of Nishio and further in view of GB 1 329 883 to Redfern & Co.

Claim 1 recites, *inter alia*:

“Apparatus for storing and/or transmitting a one-bit signal...

wherein each of said two bit streams is subdivided to form channel pairs before recording is performed in order to prevent errors that occur due to a mute operation of said storage and/or transmission medium. ...” (emphasis added)

Applicants Admitted Prior Art (APA) relates to storing one-bit digital audio signals in order to multiplex groups of bits of the one-bit signal into data words. The data words are then recorded on multi-bit PCM recording equipment.

As understood by Applicants, U.S. Patent No. 4,142,066 to Ahamed relates to a method and apparatus for encoding speech with correct encoding of silence periods. In the disclosed apparatus, the speech signal is processed in contiguous blocks, and each block is tested, by evaluating a window of blocks in the neighborhood of the tested block, to determine whether the tested block represents a silence interval. When it is determined that a processed block represents silence, the processed block is forced to encode as a perfect silence. This

forcing is accomplished by substituting the encoded block with a pre-selected silence sequence of alternating "1" and "0" strings.

As understood by Applicants, U.S. Patent No. 5,719,574 to Nishio et al. relates to an audio signal recording device having an input terminal, a modulator for modulating an input signal, a detecting circuit for detecting whether an input signal maintains a fixed value for a predetermined period of time, a signal generator for generating an idling signal, a delay circuit for delaying a modulated input signal and a switch for alternately inputting either the idling signal or modulated input signal to a recording circuit.

Applicants submit that APA, Ahamed, Nishio and Redfern, taken alone or in combination, do not teach or suggest the above-identified features of claim 1. Specifically, Applicants submit that there is no teaching or suggestion of each of two bit streams that are subdivided to form channel pairs before recording is performed in order to prevent errors that occur due to a mute operation of a storage and/or transmission medium, as recited in claim 1. Therefore, Applicants submit that independent claim 1 is patentable.

For reasons similar to or somewhat similar to those described above with regard to independent claim 1, amended independent claims 4, 12 and 13 are also believed to be patentable.

Therefore, Applicants submit that independent claims 1, 4, 12 and 13 are patentable.

IV. DEPENDENT CLAIMS

The other claims are dependent from one of the independent claims, discussed above, and are therefore believed patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

CONCLUSION

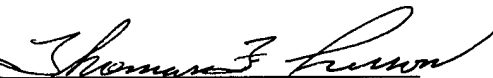
In the event the Examiner disagrees with any of statements appearing above with respect to the disclosure in the cited reference or references, it is respectfully requested that the Examiner specifically indicate those portions of the reference, or references, providing the basis for a contrary view.

Please charge any additional fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are patentable and Applicants respectfully request early passage to issue of the present application.

Respectfully submitted,

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